

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

OLAF TWEEDIE,

Defendant.

Case No. CR07-105-RSL

**PROPOSED FINDINGS OF FACT
AND DETERMINATION AS TO
ALLEGED VIOLATIONS OF
SUPERVISED RELEASE**

INTRODUCTION

I conducted a hearing on alleged violations of supervised release in this case on May 11, 2011. The defendant appeared pursuant to warrant issued in this case. The United States was represented by Susan Loitz, and defendant was represented by Mike Filipovic. Also present was U.S. Probation Officer Jennifer Van Flandern. The proceedings were digitally recorded.

SENTENCE AND PRIOR ACTION

Defendant was sentenced on January 10, 2008, by the Honorable Robert S. Lasnik for False Statement. He received 5 months detention and 3 years of supervised release.

At his last Court appearance on November 17, 2009, Mr. Tweedie pled guilty to three alleged violations for cocaine use on or about April 29, 2009, failing to report for an intake for in-patient drug treatment as directed and cocaine use on or about May 27, 2009.

1 A sentencing hearing before the Court was scheduled for February 10, 2010 to allow a
2 significant period of time for Mr. Tweedie to demonstrate further progress, stability, and most
3 importantly, drug abstinence.

4 PRESENTLY ALLEGED VIOLATIONS

5 In a petition dated January 22, 2010, U.S. Probation Officer Mark K. Okano alleged that
6 defendant violated the following conditions of supervised release:

- 7 1. Using cocaine on or about January 12, 2010, in violation on standard condition #7.
- 8 2. Failing to report for drug testing as directed, in violation of the special condition
9 that he submit to testing to determine if he has reverted to the use of drugs or alcohol.

10 In a second petition dated February 10, 2010, U.S. Probation Officer Mark K. Okano
11 alleged that defendant additionally violated the following conditions of supervised release:

- 12 3. Using cocaine on or about January 20, 2010, in violation of standard condition #7.

13 FINDINGS FOLLOWING EVIDENTIARY HEARING

14 Defendant admitted the above violations, waived any hearing as to whether they occurred,
15 and was informed the matter would be set for a disposition hearing May 26, 2011, at 9:00 a.m.
16 before Chief District Judge Robert S. Lasnik.

17 RECOMMENDED FINDINGS AND CONCLUSIONS

18 Based upon the foregoing, I recommend the court find that defendant has violated the
19 conditions of his supervised release as alleged above, and conduct a disposition hearing.

20 DATED this 11th day of May, 2011.

21 

22 BRIAN A. TSUCHIDA
23 United States Magistrate Judge